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2616

## PATENT APPLICATION

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68521

Nahoko TAKANO, et al.

Appln. No.: 10/078,003

Group Art Unit: 2616

Confirmation No.: 4722

Examiner: Ahmed Elallam

Filed: February 20, 2002

For: CELLULAR SYSTEM AND BASE STATION SPECIFICATION METHOD IN CDMA  
MODE

### RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 C.F.R. § 1.121

#### MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 5, 2006, please consider the remarks as submitted herewith on the accompanying pages.

#### REMARKS

Applicants submit that the Notice of Non-Compliant Amendment is in error and should be withdrawn. The Examiner has alleged that the Amendments does not comply with the requirements of 37 C.F.R. § 1.121 because claim 9 as amended does not show a strike-through of the term "including" in line 2. However, because claim 9 did not contain such a term before amending the claim, a strike-through is not required.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the